

April 15, 2011

Via Electronic Submission

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Notice of Ex Parte Communication*
CG Docket 09-158, Consumer Information and Disclosure

Dear Ms. Dortch:

Sprint Nextel Corporation (“Sprint”) submits this letter in response to a series of questions from Nancy Stevenson and John B. Adams of the Consumer and Government Affairs Bureau regarding Sprint’s policies and practices with respect to early termination fees (“ETFs”).

Early Termination Fees

I have taken the liberty of paraphrasing the orally-presented questions and putting them in the below format. Further, please note that, in the interest of time, the responses are brief intentionally. Sprint responded to a similar, but more extensive line of questions in a letter filed with the Commission on February 23, 2010.¹ For your convenience, Sprint has attached that earlier response with exhibits.²

- 1) **What is the amount of Sprint’s ETF?** \$200.
- 2) **Does it vary by device (e.g., is the ETF a higher amount for a smartphone)?** No, presently Sprint’s ETF is \$200 regardless of device.
- 3) **How is ETF prorated over time?** Sprint has a webpage dedicated to answering questions with regard to its ETF policies.³ Below is a table cut-and-pasted from that webpage that describes Sprint’s ETF proration schedule.

¹ Letter from Vonya B. McCann, Senior Vice President, Government Affairs, Sprint to Mr. Joel Gurin, Chief, Consumer and Government Affairs Bureau and Ruth Milkman, Chief, Wireless Telecommunications Bureau, CG Docket 09-158 (February 23, 2010) (attached with Exhibits).

² Sprint’s policies and practices as reflected in the February 23, 2010 filing have not changed in any significant way. Please note that some of the Sprint documents provided as exhibits have been modified or updated since February 23, 2010 (e.g., Service Plan Guides are frequently updated); however, the documents continue to reflect current practices involving ETFs.

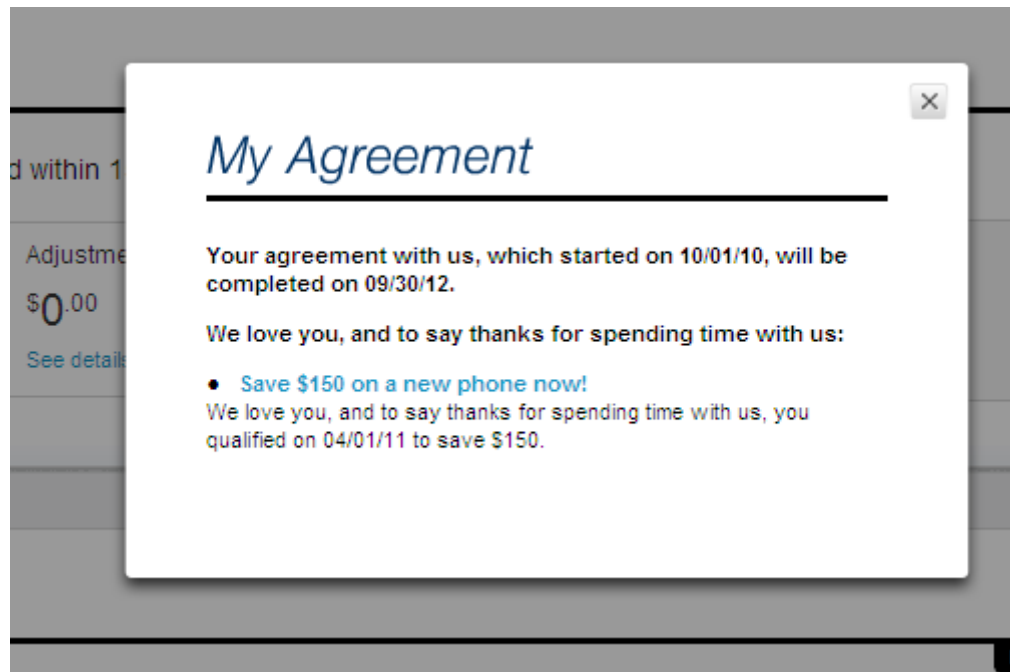
³ See, http://shop2.sprint.com/en/services/termination_fee/early_termination_fee.shtml?ECID=vanity:etf

Prorated early termination fee

Use the chart below to calculate your exact early termination fee. If you are cancelling multiple lines on your account, calculate the remaining number of months on each line, locate the corresponding amounts and add them together to reach your total.

Months in contract	Months remaining	Early Termination Fee
0	24	\$0 (If you are not eligible under the 30-day guarantee period, fee is \$200.)
1	23	\$200
2	22	\$200
3	21	\$200
4	20	\$200
5	19	\$190
6	18	\$180
7	17	\$170
8	16	\$160
9	15	\$150
10	14	\$140
11	13	\$130
12	12	\$120
13	11	\$110
14	10	\$100
15	9	\$90
16	8	\$80
17	7	\$70
18	6	\$60
19	5	\$50
20	4	\$50
21	3	\$50
22	2	\$50
23	1	\$50

- 4) **How may a customer determine his or her ETF balance?** A customer may determine his or her ETF balance by using the contract termination date and referring to the above ETF proration schedule. In addition, a customer may dial *2 on a Sprint mobile handset (or dial Sprint's toll-free number or use Sprint's e-chat customer care service) to reach Sprint a customer care representative who will provide the ETF balance upon request. The ETF balance is not presented on Sprint's monthly invoices.
- 5) **How does Sprint disclose or make available to customers the remaining length of the contract term?** The length of the contract (*i.e.*, "contract period") including the contract termination date is disclosed clearly and prominently at the point-of-purchase in a "Transaction Summary" document provided to the customer at the conclusion of their purchase/activation (an example is included in the attachment, see Exhibit E). In addition, the "Contract Start Date" and "Contract End Date" are disclosed clearly and prominently within the Welcome Letter which is typically received by new customers within 3-10 days of service activation (see Exhibit F). Similarly, if a customer chooses to extend his or her contract, the customer will receive a contract update letter within days of making the account change. This letter also displays the new "Contract Start Date" and "Contract End Date" (see Exhibit G). Finally, a customer may also retrieve information concerning their contract length/term at any time by accessing his or her account on line. A customer may simply log-in to his or her account to obtain contract details. Below is a screen shot in which the contract start and end dates are disclosed clearly.



- 6) **Does Sprint have any promotional rates for monthly recurring charges?** No.
- 7) **Is a contract/term agreement with an ETF always required for new customers?** No, Sprint offers numerous prepaid plans through its Boost Mobile and Virgin Mobile brands. For customers that prefer a postpaid plan, Sprint offers a “Basic” month-to-month plan (*i.e.*, no term contract and no ETF). This plan includes 200 “anytime” minutes for \$39.99 per month.
- 8) **Once a customer fulfills his/her term agreement, can the customer purchase a new device at full price without extending contract?** Yes.

* * *

If you have any questions or concerns regarding this information, please contact the undersigned.

Sincerely,

/s/ Scott R. Freiermuth

cc: Nancy Stevenson
John Adams